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ACTION EA-12
INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-07
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DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY BAFleck DATE 2/12/80

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E.O. 11652: N A
TAGS: SOPN, PINT, KS, US
SUBJECT: KOREAN PRESS REPORTS ON PAK TONG-SON
REF: SEOUL 7556 (P P 070923Z SEP 77)
SUMMARY: SEOUL PRESS, HAVING FINISHED STORIES ON ANNOUNCEMENT OF INDICTMENT OF PAK TONG-SON, SEPTEMBER 9 BEGAN TO REPORT FONMIN'S COMMENTS ON CASE. IN BRIEF, LATTER SAID ROKG HAS COOPERATED WITH USG AS MUCH AS POSSIBLE AND WILL CONTINUE TO, BUT ROKG CANNOT FORCE PAK TO RETURN TO U.S. AGAINST HIS WILL. END SUMMARY.
1. ON SEPTEMBER 8, BOTH MORNING VERNACULAR PAPERS CARRIED BRIEF FRONT-PAGE STORIES FROM WIRE SERVICES REPORTING PUBLIC ANNOUNCEMENT IN WASHINGTON OF FORMAL INDICTMENT OF PAK TONG-SON BY FEDERAL GRAND JURY FOR MAIL FRAUD AND CONSPIRACY TO BRIBE. STORIES, WHICH WERE FROM AP WIRE SERVICE OR COMBINATION OF AP AND UPI STORIES, WERE
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APPARENTLY RUN TO CATCH UP WITH SEPTEMBER 7 AFTERNOON PAPERS (REFTEL), WHICH HAD GOT THE SCOOP. STORIES NOTE THAT EX-REP. HANNA WAS NAMED AS UNINDICTED CO-CONSPIRATOR. LIST NAMES OF EIGHT PRESENT AND FORMER SENATORS AND REPRESENTATIVES, AND NOTE ABOUT TEN MORE REPRESENTATIVES WERE INVOLVED.
2. AFTERNOON TONGA ILBO ALSO CARRIED ITS OWN COMBINATION OF AP AND AFP STORIES IN ITS SEOUL CITY EDITION. OTHER AFTERNOON PAPERS CARRIED ONLY BRIEF SUMMARIES OF FONMIN PAK TONG-JIN'S COMMENTS TO FOREIGN REPORTERS ON ARRIVAL FROM JAPAN.
3. FONMIN'S BRIEF COMMENTS ON PAK TONG-SON SEPTEMBER 7 WERE OVERTAKEN BY MORE DETAILED REMARKS HE MADE IN AFTERNOON OF NEXT DAY, IN INFORMAL TALK WITH REPORTERS. ON SEPTEMBER 9, BOTH VERNACULAR MORNING PAPERS REPORTED FONMIN'S COMMENTS ON FRONT PAGE, WITH HEADLINES EMPHASIZING THAT PAK TONG-SON MAY RETURN TO THE U.S. WHEN HE WISHES. JUDGING FROM MOST COMPLETE SUMMARY, WHICH AP-
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CONFIRMED ACCURACY OF CHOSON ILBO REPORT TO POLCOUNS ON EVENING SEPTEMBER 8, NOTING MOFA INFORMATION OFFICER HAD PROVIDED HIM A COPY OF THE ARTICLE RATHER THAN HIS USUAL BRIEFING ON FORMIN'S REMARKS.
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PEARED IN INDEPENDENT, CONSERVATIVE CHOSON ILBO, OVERALL TONE OF FONMIN'S REMARKS WAS STRAIGHTFORWARD.

4. SOME HIGHLIGHTS:

(A) OUR BASIC POSITION IS THAT PAK TONG-SON AFFAIR IS SOLELY (RESULT OF) THE PRIVATE ACTIVITIES OF MR. PAK AS A MERCHANT. ROKG HAS "A CERTAIN POSITION" BECAUSE PAK IS A KOREAN CITIZEN, BUT NO DIRECT RESPONSIBILITY. AS PAK HAS COME TO KOREA, WE ARE FULLY PREPARED TO HELP, IN LIGHT OF FRIENDSHIP BETWEEN THE TWO COUNTRIES, BUT WE CAN COOPERATE ONLY WITHIN THE LIMITS OF OUR LAW AND ON BASIS OF INTERNATIONAL PRACTICE, DIPLOMATIC SUTOM, AND OUR SOVEREIGNTY. WE CANNOT FORCE PAK TO GO TO U.S. AND

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HAVE ALREADY SAID AS MUCH TO U.S. COUNTRIES OF THE CONTINENTAL SYSTEM OF LAW FOLLOW THE PRINCIPLE OF NOT EXTRADITING THEIR OWN CITIZENS EVEN IF GUILTY OF A CRIME.

(B) IN THE KIM SANG-GUN CASE, OUR AMBASSADOR ASKED U.S. DEPARTMENT OF STATE TO LET SOMEONE MEET KIM BUT THEY REFUSED, CITING KIM'S WISHES. IF THAT IS RESPECT FOR HUMAN RIGHTS, IT IS AWKWARD IF THOSE RIGHTS ARE APPLIED TO ONLY ONE SIDE. THE GOVERNMENT IS NOT ALL-POWERFUL AND CANNOT IMPRISON PEOPLE AT WILL; I SAID THIS IN MY INTERVIEW YESTERDAY WITH THE JAPAN TIMES AND TO AN NBC REPORTER AT KIMPO AIRPORT. WE HAVE BEEN COOPERATING WITH THE INVESTIGATION SINCE LAST YEAR, "IN TERMS OF CONTENTS." SO THE U.S. CANNOT CALL US UNCOOPERATIVE.

(C) HAS THE U.S. SENT A FORMAL LETTER REQUESTING COOPERATION?

NOT THAT I'VE HEARD. (THEY'VE USED) REGULAR DIPLOMATIC CHANNELS TO REQUEST US TO PERSUADE MR. PAK TO RETURN TO THE U.S. WE TRIED, BUT HE SAID HE WOULDN'T GO. I FEEL THAT THE U.S., BY INDICTING MR. PAK, HAS MADE HIM LESS LIKELY TO GO. I'VE HEARD THAT MR. PAK'S LAWYER IN THE U.S. ALSO TOLD MR. PAK NOT TO RETURN.

(D) WE WILL CONTINUE TO COOPERATE WHERE WE CAN. BUT WE CANNOT ARREST HIM AND PUT HIM ON A PLANE.

(E) U.S. MEDIA KEEP SAYING ROKG IS TRYING TO COVER UP THE PAK AFFAIR . . . .

WHY SHOULD WE? I CAN'T UNDERSTAND WHY THEY KEEP TRYING TO BLAME THE KOREAN GOVERNMENT FOR MR. PAK'S PRIVATE ACTIVITIES.

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(F) THE U.S. HAS NEVER SAID IT WOULD SEND INVESTIGATORS (TO SEOUL). MR. PAK HAS A COMMERCIAL PASSPORT GOOD UNTIL 1978, SO HE CAN GO WHENEVER HE WANTS.

5. MOFA AMERICAN AFFAIRS DIRECTOR PAK SANG-YONG

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